

MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

October 20, 2015

Work Session 4:00 p.m. Policy Session 7:00 p.m.

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; David Mortensen, City Treasurer; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Ikani Taumoepeau, Economic Development Director; David Norman, Public Works Director; Steve Mumford, Planning Director; Kent Partridge, Building Official; Brad Hickman, Parks & Recreation Director; Linda Peterson, Public Information Director; Ross Fowlks, Fire Chief; Eric McDowell, Sheriff's Deputy.

Mayor Pengra called the meeting to order at 4:07 p.m.

1. CITY ADMINISTRATOR INFORMATION ITEMS – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

A. Presentation – RDA

Because reimbursement has been requested by a property owner in an Economic Development Area (EDA), City Administrator Ifo Pili reviewed how a Redevelopment Agency works. The City Council serves as the Redevelopment Agency Board for Eagle Mountain. A Redevelopment Agency creates and oversees three kinds of development areas. Urban Development to mitigate blight, Economic Development to bring high-quality jobs to the City, and Community Development to bring mixed-use and retail developments into the City. The property owner's proposal will be presented in a future meeting.

B. Review – The Enchanted Pony Party Company Conditional Use Permit

When the company's owner applied for a business license and conditional use permit, her neighbors were very concerned that she might not keep the parties entirely within her property and that there might be on-street parking. The business license and permit were issued conditioned on a one-year review by the City Council. As there have been no complaints, no action was taken.

C. Discussion –Value Ranking System for Public Improvements

Paul Jerome, Assistant City Administrator and Finance Director, stated that since the last City Council meeting, Mayor Pengra and City staff have reviewed the cost of each public improvement which may be funded by the proceeds from the utility sale, as well as items to be added to the budget. Budget items include side paths, traffic signals, road projects, trail projects, and the remodeling of the Community Development Building. The total cost will be approximately \$2.2M, which will still allow the City's fund balance to total about 20%.

The discussion then moved to the items to be funded by the utility sale proceeds. Councilmember Westmoreland suggested using some of the money for emergency preparedness, specifically to purchase mobile generators for uses such as powering the City's well pumps. The generators might be useful outside of emergency situations, as well.

Councilmember Bradley suggested doing a survey to solicit ideas from the public as to how they would like the utility proceeds spent. He brought up paying off debt or making a payment to each resident who paid into the utility services. Mayor Pengra thought it would be very difficult to determine which residents should be paid. Debt payment was discussed, including paying off low-interest debt vs. paying for public improvements now which will be more expensive in the future.

Councilmember Burnham noticed the splash pad planned for City Center was off the project list. Mayor Pengra said it had been included in the projects for Wride Memorial Park. Councilmember Burnham felt it should be located in a City Center park, where it would be in walking distance for quite a few residents. Councilmember Ireland thought it might be a good addition to Pioneer Park.

Mayor Pengra said the City has been approved for a matching grant to complete the baseball complex for Wride Park. In addition, a developer in discussions with the State and Institutional Trust Lands Administration (SITLA), the major landowner in the area, is interested in providing a significant improvement to Wride Park. Mayor Pengra asked the Council to list their expectations for Wride Park. Ideas included:

- trees throughout the park
- a splash pad
- an amphitheater
- highlighting the Pony Express Trail
- playgrounds serving the needs of children of all ages from toddlers to teens
- playground equipment for special-needs children
- final completion of the ball field complex
- landscaping, including native landscaping required by SITLA

Councilmember Burnham suggested holding an open house after a landscape architect creates designs with various choices, so residents can give input.

Mayor Pengra ask the Council to come up with a not-to-exceed dollar amount to spend on the park. Councilmember Ireland suggested \$7.5M. Councilmembers Steinkopf and Westmoreland agreed. Councilmember Bradley thought that would build a park that was too expensive to maintain. He preferred a limit of \$5M.

Parks and Recreation Director Brad Hickman discussed maintenance costs for the park. The City has a contract with Elite Grounds. They could do all the grounds maintenance for less than a 25% increase to the contract.

Councilmember Burnham wanted money allocated for other parks, as well. Councilmember Ireland wanted to add completion of the paseos in City Center, to be funded by the money that was removed for payment of the special service area debt.

2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.

13. Budget Amendment

This \$3.2M budget amendment would fund a waterline and pump station in the Upper North and North Service Areas. The pump station will match an existing pump station. This will increase the capacity of the water system without building another water tank. Another tank will have to be added in several years.

Most of the \$3.2M will be reimbursable by impact fees, except for any part that benefits existing homes, rather than new building.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

MOTION: *Councilmember Burnham moved to adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated. Councilmember Ireland seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

Mayor Pengra adjourned the meeting at 6:15 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Ikani Taumoepeau, Economic Development Director; David Norman, Public Works Director; Steve Mumford, Planning Director; Brad Hickman, Parks & Recreation Director; Linda Peterson, Public Information Director; Ross Fowlks, Fire Chief; Eric McDowell, Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:06 p.m.

5. PLEDGE OF ALLEGIANCE

Donna Burnham led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Trick or Treat Village** – Eagle Mountain City's annual Trick or Treat Village offers FREE fun for everyone. This year's activities include Village Row, Monster Mash dance, games, contests, candy, and more! The event will be held on Saturday, October 24 from 10:00 a.m. to 2:00 p.m. at Nolan Park. Businesses are invited to register for a booth. There is a registration link on the City website, Calendar.

- **Election** – The 2015 Municipal Election will be held on Tuesday, November 3. Early voting for the General Election will be held through October 30 at City Hall, with the following schedule:

Tuesday: 8:00 a.m. – Noon

Monday, Wednesday, Thursday, Friday: 1:00 p.m. – 5:00 p.m.

For up-to-date election information, please visit www.eaglemountaincity.com/election.

- **Bag the Leaf** – The City will once again be offering the Bag the Leaf collection program. The City will provide free leaf bags to residents through November 30, while supplies last. Bags can be picked up at City Hall or The Ranches HOA office. Curbside pick-up will be available on weekdays. Residents may email Larry at ldiamond@emcity.org to notify him when they have bags ready for pick up. For complete program information, please visit the City website, News section.

7. **PUBLIC COMMENTS** – Time has been set aside for the public to express their ideas, concerns and comments.

Jared Gray objected to \$7.5M of the utility sale proceeds being spent on Wride Memorial Park when the residents of Eagle Mountain want parks improved throughout the City. The Special Events Committee has put on events at the rodeo grounds without asking for City money. He didn't feel so much money should be spent on other parks when the rodeo grounds aren't being maintained. All the parks should be given equal consideration.

Jeff Ruth was against spending \$7M on Wride Memorial Park. He thought some of the money should be spread among the other parks. He also wanted road projects completed and Pony Express Parkway widened between City Center and The Ranches.

Matt Visser, an advisor to the Youth City Council, announced the Youth City Council will be collecting food donations at the Food Truck Roundup. The donations will stay in Eagle Mountain. Those not needed in Eagle Mountain will go to the food pantry in American Fork, which is the closest food pantry to Eagle Mountain. He also objected to the amount proposed to be spent on Wride Memorial Park. He wanted existing parks to be improved before money is spent on a park no-one can walk to. He didn't think the Council should decide to complete road projects without professional assistance.

Mayor Pengra pointed out that the City has a professional City Engineer and Streets Department.

Wendy Lojik asked the Council to work with her to involve citizen volunteers in gathering information from residents on how the proceeds of the utility sale might be spent.

Mary Monson felt the government should be as debt-free as possible. She proposed spending some of the utility sale proceeds on a recreation center with a pool and basketball courts, which would benefit families in the City and attract businesses by providing amenities for their employees. She suggested a domed building to decrease construction and maintenance costs. Residents could hold fundraisers to help fund the project. Mayor Pengra gave Ms. Monson his phone number and invited her to meet with him and discuss the issue.

Cody Hurst wanted the proceeds of the utility sale to be spent to maintain and upgrade existing City facilities and landscaping, rather than on new items. He wanted the road medians xeriscaped rather than upgrading the sprinkler system. He also wanted City staff rather than the HOA to maintain public property in The Ranches.

Joseph Jones asked that the utility sale proceeds be used for paying off debt rather than for purchasing nonessentials.

8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Steinkopf

Councilmember Steinkopf stated the Council has spent a great deal of time discussing the use of the utility sale proceeds. In some cases, paying off low-interest debt isn't financially beneficial. He would like to see money spent on multiple parks.

Councilmember Burnham

Councilmember Burnham appreciated all the input the Council has been receiving. She would love to receive more. She explained that the land between City Center and The Ranches is owned by SITLA, which will not permit the City to widen the road. In regard to the recreation center, the utility sale provided one-time funds. A recreation center would involve a lot of long-term staff and maintenance expenses. She felt it's important to spend the utility funds on many diverse projects and that's what the Council is doing.

Councilmember Ireland

Councilmember Ireland encouraged everyone who goes to the Food Truck Roundup to bring some canned food for the Youth Council donation drive. He asked everyone to vote in the general election.

Councilmember Westmoreland

Councilmember Westmoreland appreciated the public comments and said it was good to know that residents were passionate about being involved in the City. He was concerned about how low the voter turnout has been in this election cycle and encouraged everyone to vote.

Councilmember Bradley

Councilmember Bradley thanked everyone attending the meeting and those who attended the City Council candidates' debate. He asked residents to vote and to encourage their neighbors to vote. He appreciated hearing ideas about how to spend the utility sale proceeds and wanted to hear more comments. He supported the Special Events Committee, but wanted it to be clear that the City paid a lot of the expenses for the rodeo. He wanted individual Councilmembers to be involved in mentoring Youth Council members. He pointed out that the Council isn't consulted on how to build roads. The City hires professionals.

Mayor Pengra

Mayor Pengra reserved comment until later in the meeting.

9. PROCLAMATION – Type I Diabetes Awareness

Mayor Pengra read the proclamation aloud. He stated that a young Eagle Mountain resident contacted City Recorder Fionnuala Kofoed, asking if the Council would pass a proclamation in support of Type 1 Diabetes Awareness Week, November 9-15.

Councilmember Bradley asked what help a proclamation gives to those suffering from diabetes. Mayor Pengra said information on diabetes will be posted on the City website. City Hall will be

lighted with blue lights during that week, which is the signature color for Type 1 diabetes awareness. He asked Mr. Ruth to come back up and suggest what might help. He said getting the City Center fire station back up and running would get emergency medical help much faster to those who need it, such as his wife, who suffers from Type 1 diabetes. Councilmember Bradley said the City is fast-tracking the fire station repair.

Ms. Kofoed pointed out that seeing City Hall lit up in blue could make a child with diabetes feel special and that people cared. With an incurable disease, being cared about helps.

MOTION: *Councilmember Bradley moved to approve a proclamation declaring November 9 - 15 Type 1 Diabetes Awareness Week. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

10. APPOINTMENTS

A. Economic Development Board

- I. Ryan Myers – 1 year term
- II. Jim Rohan – 1 year term
- III. Evan Berrett – 3 year term
- IV. Christopher Jones – 3 year term

MOTION: *Councilmember Ireland moved to appoint Ryan Myers to the Economic Development Board for a one-year term. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Ireland moved to appoint Jim Rohan to the Economic Development Board for a one-year term. Councilmember Westmoreland seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Ireland moved to appoint Evan Berrett to the Economic Development Board for a three-year term. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

MOTION: *Councilmember Ireland moved to appoint Christopher Jones to the Economic Development Board for a three-year term. Councilmember Steinkopf seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

Ms. Kofoed administered the oath of office to those appointees who were able to attend the meeting.

CONSENT AGENDA

11. MINUTES

- A. September 29, 2015 – Special City Council Meeting
- B. October 6, 2015 – Regular City Council Meeting

12. RESOLUTION

- A. Appointment of a Representative to the Utah Valley Dispatch Special Service District Board

MOTION: *Councilmember Ireland moved to approve the Consent Agenda. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

SCHEDULED ITEMS

13. ORDINANCE – Consideration of an Ordinance of Eagle Mountain City, Utah, Amending the Fiscal Year 2015-2016 Annual Budget.

The proposed amendment to the fiscal year 2015-2016 annual budget is for the North Service Area waterline extension. The public hearing for this budget amendment was held on October 6, 2015.

Public Works Director Dave Norman stated the North and Upper North Service Areas need additional water service for existing housing and any additional homes. The waterline will extend from Pony Express Parkway near the fire station, along the powerline corridor to Wride Memorial Highway, across to Spring Run Parkway. Segments will run along Wride Memorial Highway as far as the entrance to North Ranch. An additional pump station will be built to provide redundancy with the existing pump station and also to service a future storage tank which will be built in the Upper North Service Area.

The project is included in the Capital Facilities Plan. It is eligible for impact fee reimbursements for those parts that benefit new building rather than existing homes.

Councilmember Ireland asked how long the project would take to be completed. Mr. Norman responded it will go out to bid in the next two months. It's expected to be completed by summer. It should solve all the water issues being experienced in those northern service areas.

Councilmember Ireland asked Mr. Pili to explain how such projects are paid for. Mr. Pili said they can be paid for through assessment areas, which allows developers to build infrastructure and be reimbursed through assessments on each lot sold. If a project is on the Capital Facilities Plan, it can be paid for through impact fees or impact fee reimbursements. If a developer builds facilities that are larger than their developments need, to benefit additional areas, the City will reimburse them. Some projects are paid for through bonding.

Discussion ensued on the options for paying for this particular project. Mr. Pili said it qualified for virtually any mechanism available to the City. As far as debt is concerned, this would be capital debt, secured by the ratepayers and the water system. Eagle Mountain has no general obligation debt, and this project would not create any. It could be paid for by the Water Fund balance, rather than by bonding, but that would deplete the Water Fund.

Councilmember Ireland noted the reimbursement schedule of impact fees relies on growth. He asked Mr. Pili for his estimate of how long it would take to reimburse the \$3.2M. Mr. Pili gave a very rough estimate of two years.

Councilmember Ireland thanked the Mayor and staff for accommodating the request that this item be brought back at this meeting with additional details on how to pay for it.

MOTION: *Councilmember Ireland moved to adopt an Ordinance of Eagle Mountain City, Utah, amending the fiscal year 2015-2016 annual budget to include funding for the North Area waterline project in an amount not to exceed \$3,221,615, the cost to be paid by the Water Fund. Councilmember Burnham seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

14. MOTION – Consideration of Projects to be Completed with the Proceeds From the Gas and Electric Utility Sale.

Upon review of the list of proposed projects to be completed with the proceeds from the utility sale, the Council may approve the list or individual items on the list.

Mayor Pengra addressed some of the comments made during the public comments section of the meeting. He agreed with Joseph Jones that, overall, debt is bad and cash is good. However, municipal finance is not entirely analogous to personal finance. If the utility proceeds are used to pay off low-interest debt now, projects that will improve the community not done now will cost more in the future.

Mr. Pili pointed out that municipal “wages” come from taxes. Families want their wages to go up. Municipalities want to keep their taxes as low as possible.

Mayor Pengra noted xeriscaping the street medians will be covered by street landscaping funding included in the project list.

Mayor Pengra discussed Ms. Monson’s suggestion of a recreation center. The operational budget of a recreation center is large and ongoing. City staff has made inroads on the long list of projects that need completion. Those projects are designed to improve Eagle Mountain. Funneling money into ongoing recreation center operation and maintenance will divert funds from those City improvements.

On the suggestion of conducting a survey, Mayor Pengra said it’s been a tremendous amount of work to assimilate the suggestions that have been given already. In hindsight, he thought it would have been helpful to have more direct communication.

There was a request for restrooms in some parks. Mayor Pengra stated that \$240,000 is proposed for restrooms in three existing parks.

Mayor Pengra read a comment from Sandy White. She asked that part of the utility proceeds be saved for the future. She also asked that the youth baseball equipment be improved, especially batting helmets with face guards. Last year, a player was badly injured by a ball that hit her face.

Discussion ensued on setting a not-to-exceed amount to spend in Wride Park. Councilmembers discussed the process of spending the money. City Recorder Fionnuala Kofoed reminded them that, based on the City's purchasing policy, some projects would come before the City Council for approval.

Mayor Pengra asked Mr. Pili what the next step in improving the park will be. Mr. Pili said once a maximum amount for the park is determined, staff will hire a landscape architect to produce some designs. Mr. Hickman is writing a request for proposals. He pointed out that the early phases will probably be the most expensive, because water, sewer and electric lines will have to be extended to the park.

Mayor Pengra and the Council went through the list of potential projects.

Projects remaining in the list:

Rodeo grounds fencing
20-year celebration matching funds
Trails completing connectivity from neighborhoods to main trails
Medians in Pony Express and Ranches Parkways
Park amenities match program
Wride Memorial Park
Cemetery fence
Nolan Park splash pad upgrade
Bike park improvements
Benches, shade structures and trash cans along trails
Hidden Canyon detention pond completion
SilverLake amphitheater improvement
Park restrooms
Paseos

Projects removed from the list:

Spectator bleachers in smaller parks

Councilmember Bradley repeated his objection to spending \$100,000 on the cemetery. Councilmember Steinkopf felt a completed cemetery would make Eagle Mountain look more complete. Mayor Pengra said it was an incomplete City project that needed completion. Councilmember Burnham spoke about having to bury her first child, and how much harder it would have been to bury her child in an unfenced cemetery that could be desecrated by recreational vehicles. Ms. Kofoed described a recent experience of selling a burial plot to a family who was sad to bury their daughter in an unfinished cemetery that looked like a field. Ms. Kofoed told them City staff is committed to finishing the cemetery. The City owes it to the residents to complete the cemetery out of respect for those who are and those who wish to be buried there.

Mayor Pengra said the list will be further refined and discussed at the December 1 City Council meeting.

MOTION: ***Councilmember Ireland moved to adjourn the meeting at 9:56 p.m.***
 Councilmember Bradley seconded the motion.

As no motion had been made on item 14, the motion to adjourn was voted down.

Those voting no: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion failed with a unanimous vote.

MOTION: *Councilmember Ireland moved to approve the remaining projects to be completed with the proceeds from the gas and electric utility sale. Councilmember Burnham seconded the motion. Those voting aye: Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. Those voting no: Adam Bradley. The motion passed with a vote of 4:1.*

Approved projects:

Cost Est.	Project Information
\$270,000	Already approved & underway
\$654,040	Utility account unpaid amounts in collection process (could come in lower)
\$7,500,000	Baseball complex, parking, tie together, access, unique feature, PE Trail native
\$400,000	Finish completion of trails where gaps currently exist
\$500,000	Re-landscape some medians on PE Parkway in the Ranches
\$500,000	Landscape medians on PE Parkway in City Center that are not currently
\$1,000,000	City to match funds raised from residents or HOAs for park improvements
\$100,000	Fencing at Cemetery to ensure protection of the area
\$150,000	Water reuse system in addition to some feature fixes
\$100,000	Parking on north side of Nolan Park
\$40,000	Pavilion with tables near splash pad at Nolan Park
\$1,000,000	Finish landscaping of areas along trail system adjacent to PE Parkway
\$100,000	Leverage EMC's 20th anniversary to entice further economic development
\$25,000	Fix areas of bike park that are in disrepair
\$50,000	Similar to what has been done along trails in the Ranches
\$50,000	Completion of clean out area in the storm drain system at Hidden Canyon Park
\$200,000	Create a series of slides on unfinished part of Silver Lake Park
\$8,000	Perimeter fencing for security purposes at rodeo grounds
\$320,000	\$80k bathroom kit that includes utility installation.
\$850,000	Improvements to undeveloped paseos on City Center
\$500,000	Ensure ability to supply water from wells in emergency situations

15. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

None.

16. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

None.

17. COMMUNICATION ITEMS

A. Upcoming Agenda Items

18. ADJOURNMENT

MOTION: *Councilmember Ireland moved to adjourn the meeting at 9:59 p.m. Councilmember Bradley seconded the motion. Those voting aye: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*